

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 07-5944 SC

MDL No. 1917

This Document Relates to:

Costco Wholesale Corp. v. Hitachi, Ltd., et al.,
No. 11-cv-06397

**[PROPOSED] ORDER GRANTING
SAMSUNG SDI DEFENDANTS' MOTION
TO DISMISS CLAIMS ALLEGED IN
COSTCO'S FIRST AMENDED
COMPLAINT**

1 The motion of defendants Samsung SDI Co., Ltd.; Samsung SDI America, Inc.; Samsung
2 SDI Mexico S.A. De C.V.; Samsung SDI Brasil Ltda.; Shenzhen Samsung SDI Co., Ltd.; Tianjin
3 Samsung SDI Co., Ltd.; and Samsung SDI (Malaysia) Sdn. Bhd. (collectively, "SDI") to dismiss
4 claims alleged in plaintiff Costco Wholesale Corp. ("Plaintiff")'s First Amended Complaint, came
5 on regularly for hearing before this Court.

6 The Court having considered all papers filed in support of and in opposition to said
7 motion, and having entertained argument of counsel, and good cause appearing, IT IS HEREBY
8 ORDERED that SDI's Motion to Dismiss is GRANTED as set forth below.

9 1. Plaintiff's claims against SDI under the Arizona Antitrust Act, Ariz. Rev. Stat. §§
10 44-1401, *et seq.*; the California Cartwright Act, Cal. Bus. & Prof. Code §§ 16700, *et seq.*; the
11 Florida Deceptive and Unfair Trade Practices Act, Florida Stat. §§ 501.201, *et seq.*; and the
12 Illinois Antitrust Act, 740 Illinois Code 10/1 *et seq.*, are dismissed, without leave to amend,
13 because they are barred by the applicable statutes of limitations.

14 2. Plaintiff's claims against SDI under the Arizona Antitrust Act, Ariz. Rev. Stat. §§
15 44-1401, *et seq.*; the California Cartwright Act, Cal. Bus. & Prof. Code §§ 16700, *et seq.*; the
16 Florida Deceptive and Unfair Trade Practices Act, Florida Stat. §§ 501.201, *et seq.*; and the
17 Illinois Antitrust Act, 740 Illinois Code 10/1, *et seq.*, are dismissed, without leave to amend,
18 because the choice-of-law analysis favors Washington law.

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20 **IT IS SO ORDERED.**

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22 Dated: _____

23 _____
24 HONORABLE SAMUEL CONTI
25 UNITED STATES DISTRICT JUDGE
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